

PD-0963-19

HARRY NICHOLSON, JR.

v.

THE STATE OF TEXAS

§  
§  
§  
§  
§

IN THE TEXAS

COURT OF

CRIMINAL APPEALS

FILED  
COURT OF CRIMINAL APPEALS  
3/19/2020  
DEANA WILLIAMSON, CLERK

**MOTION FOR LEAVE TO FILE  
PETITIONER-APPELLANT'S REPLY BRIEF**

**TO THE HONORABLE JUDGES OF SAID COURT:**

COMES NOW Petitioner-Appellant Harry Donald Nicholson, Jr.,  
and, pursuant to Texas Rule of Appellate Procedure 70.4, moves this  
Court for leave to file a reply brief. In support thereof, Nicholson would  
show the following:

1. On December 18, 2019, this Court granted discretionary review in  
this case.
2. Nicholson timely filed his brief on the merits on January 14, 2020.
3. After one extension, the State Prosecuting Attorney timely filed  
its brief in response on March 3, 2020.
4. Nicholson now seeks leave to file a reply brief to the State  
Prosecuting Attorney's brief.
5. Nicholson respectfully suggests that his reply brief, filed

concurrently with this motion, will assist this Court in its decisional process.

6. This case has not been set for submission and filing of the reply brief will not delay submission.

Nicholson prays this Court grant this motion for leave to file a reply brief.

Respectfully submitted,

/s/ Gary Udashen

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### **Certificate of Service**

I hereby certify that, concurrent with this document's electronic filing, it was electronically served to Assistant State Prosecuting Attorney Emily Johnson-Liu at emily.johnson-liu@spa.texas.gov and Navarro County Assistant District Attorney Robert Linus Koehl at rkoehl@navarrocounty.org.

/s/ Gary Udashen  
Gary Udashen

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